

## Senate Bill No. 1382

### CHAPTER 158

An act to amend Section 33344.5 of, and to add Section 33344.6 to, the Health and Safety Code, relating to redevelopment.

[Approved by Governor July 15, 2004. Filed with  
Secretary of State July 16, 2004.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 1382, Murray. Redevelopment.

(1) The Community Redevelopment Law requires, with specified exceptions, a redevelopment agency that includes in its redevelopment plan a provision for the division of taxes, as specified, to prepare a preliminary report and to submit this report to each affected taxing entity. Existing law specifies the contents of this report.

This bill would require the report to be prepared and sent no later than 90 days before the date set for a public hearing on the approval of a redevelopment plan by the legislative body, but would authorize the report to be sent no later than 21 days before that date if any one of several specified conditions is met. By increasing the duties of specified county officials, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

*The people of the State of California do enact as follows:*

SECTION 1. Section 33344.5 of the Health and Safety Code is amended to read:

33344.5. After receiving the report prepared pursuant to Section 33328, or after the time period for preparation of that report has passed, a redevelopment agency that includes a provision for the division of taxes pursuant to Section 33670 in the redevelopment plan shall prepare and send to each affected taxing entity, as defined in Section 33353.2,

no later than the date specified in Section 33344.6, a preliminary report which shall contain all of the following:

- (a) The reasons for the selection of the project area.
- (b) A description of the physical and economic conditions existing in the project area.
- (c) A description of the project area which is sufficiently detailed for a determination as to whether the project area is predominantly urbanized. The description shall include at least the following information, which shall be based upon the terms described and defined in Section 33320.1:
  - (1) The total number of acres within the project area.
  - (2) The total number of acres that is characterized by the condition described in paragraph (4) of subdivision (a) of Section 33031.
  - (3) The total number of acres that are in agricultural use. “Agricultural use” shall have the same meaning as that term is defined in subdivision (b) of Section 51201 of the Government Code.
  - (4) The total number of acres that is an integral part of an area developed for urban uses.
  - (5) The percent of property within the project area that is predominantly urbanized.
  - (6) A map of the project area that identifies the property described in paragraphs (2), (3), and (4), and the property not developed for an urban use.
- (d) A preliminary assessment of the proposed method of financing the redevelopment of the project area, including an assessment of the economic feasibility of the project and the reasons for including a provision for the division of taxes pursuant to Section 33670 in the redevelopment plan.
- (e) A description of the specific project or projects then proposed by the agency.
- (f) A description of how the project or projects to be pursued by the agency in the project area will improve or alleviate the conditions described in subdivision (b).
- (g) If the project area contains lands that are in agricultural use, the preliminary report shall be sent to the Department of Conservation, the county agricultural commissioner, the county farm bureau, the California Farm Bureau Federation, and agricultural entities and general farm organizations that provide a written request for notice. A separate written request for notice shall be required for each proposed redevelopment plan or amendment that adds territory. A written request for notice applicable to one redevelopment plan or amendment shall not be effective for a subsequent plan or amendment.



SEC. 2. Section 33344.6 is added to the Health and Safety Code, to read:

33344.6. A redevelopment agency that is required to prepare a preliminary report pursuant to Section 33344.5 shall send the preliminary report no later than 90 days before the date set for a public hearing held pursuant to Section 33355 or 33360. However, notwithstanding this requirement, the redevelopment agency may send the report no later than 21 days before the hearing held pursuant to Section 33355 or 33360 if any one of the following conditions is met:

(a) The redevelopment plan is proposed to be adopted pursuant to Chapter 4.5 (commencing with Section 33492).

(b) The redevelopment plan is proposed to be adopted pursuant to the Community Redevelopment Disaster Project Law (Part 1.5 (commencing with Section 34000)).

(c) The redevelopment plan is proposed to be amended and the amendment will not do any of the following:

(1) Add new territory to the project area.

(2) Increase the limitation on the number of dollars of property taxes that may be divided and allocated to the agency pursuant to Section 33670.

(3) Increase the limitation on the amount of the bonded indebtedness that can be outstanding at one time.

(4) Increase the time limit on the establishing of loans, advances, and indebtedness to be paid with the proceeds of property taxes received pursuant to Section 33670.

(5) Increase the time limit on the receipt of property taxes by the agency pursuant to Section 33670.

(6) Merge project areas.

(d) The agency has previously provided affected taxing agencies with the preliminary report and proposes to change the base year assessment roll pursuant to Section 33328.5.

(e) The affected taxing entities waive, in writing, the 90-day notice requirement.

SEC. 3. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

